

1 Hon. Ronald B. Leighton
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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 JULIANNE PANAGACOS *et al.*,)
9 Plaintiffs,) No. 10-cv-5018-RBL
10 v.)
11 JOHN J. TOWERY *et al.*,)
12 Defendants.)
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ORDER CHANGING CAPTION

14 This matter came before the Court on the United States' Second Notice of Substitution
15 and Second Motion to Change Caption. The Court having read and considered the United
16 States' Second Notice and Second Motion, any documents filed in opposition, and the United
17 States' reply, the Court finds itself fully advised and hereby ORDERS:

18 The United States' Second Notice is hereby received. Pursuant to the Certifications from
19 Jenny A. Durkan, United States Attorney for the Western District of Washington, and pursuant
20 to the provisions of the Federal Employees' Liability Reform and Tort Compensation Act of
21 1988 (Public Law 100-694), and specifically 28 U.S.C. § 2679(d)(2), as amended by said Public
22 Law, the United States of America is substituted as the sole party defendant herein in place of
23 and instead of defendants Thomas R. Rudd and John J. Towery with respect only to those claims
24 alleged by Plaintiffs based on the Washington State Constitution or sounding in common law
25 tort, and only with respect to those actions specified in the Certifications.

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1 IT IS HEREBY FURTHER ORDERED that the caption of this case be changed to reflect
2 this substitution by adding the United States as a defendant in that limited capacity.
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5 DATED this 17th of December, 2010.

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7 RONALD B. LEIGHTON
8 UNITED STATES DISTRICT JUDGE

9 Presented by:
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11 JENNY A. DURKAN
United States Attorney

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